

REQUEST FOR RECONSIDERATION  
U.S. Appln. No. 09/295,329

Applicants respectfully submit that the present invention is not obvious over the teachings of Suwa, alone or further in view of the teachings of Niki, and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

One feature of the present invention is the combination of the claimed nitrogen-containing basic compound and the claimed specific surfactant (i.e., a fluorine- and/or silicon- containing surfactant).

Applicants have discovered that, by the combination of the claimed nitrogen-containing basic compound and the claimed surfactant, the problem of development defects can be extremely improved. Neither Suwa nor Niki teach or disclose that the problem of development defects can be improved by the use of the claimed combination of elements.

Further, the unexpected effects of the present invention are clearly demonstrated by comparing the inventive examples and the comparative examples present in Applicants' specification.

For example, Comparative Example 2 (i.e., 2a and 2b) contains a fluorine-containing surfactant, but does not contain a nitrogen-containing basic compound. As a result, the development defects are not improved.

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Comparative Examples 3 (i.e., 3a and 3b) contains a nitrogen-containing basic compound, but does not contain a surfactant. As a result, the development defects are not improved. This comparative example contains the same constitution as that disclosed in the example of Suwa and is thus representative of Suwa.

Further, Comparative Example 4 (i.e., 4a and 4b) contains both a nitrogen-containing basic compound and a surfactant, but the surfactant is not a fluorine- and/or silicon-containing surfactant according to the present invention. Rather, the surfactant is a surfactant as disclosed in Suwa. As a result, the development defects are not improved (4b) and the resist profile was not good (4a).

Thus, Applicants' respectfully submit that the comparative data of Applicants' specification demonstrates an unexpected effect achieved by the claimed combination of elements in the area of countering development defects (i.e., the reduction of development defects).

Furthermore, neither Suwa nor Niki teaches or discloses that such effects would have been obvious or attainable.

Additionally, Suwa does not contain any examples that include a fluorine- and/or silicon-containing surfactant. Suwa describes surfactants that allegedly improve the coating property and developability. The term "developability" in Suwa means a degree of scum and residue of development after development, which are

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different concepts from the improvements in development defects of Applicants' invention.

Further, with respect to Example 5 of Suwa, Example 5 contains a nitrogen-containing basic compound, but no surfactant is used. Accordingly, Applicants' comparative examples are representative of Suwa and the comparison of the inventive examples with the comparative examples illustrates the unexpected difference between the present invention and Suwa.

As to the combination of Suwa with Niki, Niki does not overcome the deficiencies in Suwa discussed above. Niki does not contain examples of the use of (mixed) solvent as in claim 16 with the other claimed elements, such as the claimed surfactant. Additionally, in Suwa, the combination of solvents ethyl lactate and ethyl 3-ethoxypropionate is not disclosed or used with Applicants' claimed surfactants.

Also, in Niki, the polymer does not comprise an alicyclic hydrocarbon skeleton and thus is clearly different from the polymers of Applicants' invention.

On the other hand, in the present invention (i.e., claim 16), the claimed solvents are mixed in the claimed ratio and, as a result, the unexpected and excellent effect of the present invention is further achieved. For example, with the mixing ratio of ethylene lactate and ethyl 3-ethoxypropionate unexpected results are obtained. However, without the claimed mixing ratios, such unexpected results

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are not be obtained. For example, Example I-12 of Niki uses ethyl 3-ethoxypropionate. That is, ethyl 3-ethoxypropionate is used alone as the solvent in Example I-12 of Niki. If ethylene 3-ethoxypropionate is used alone in the present invention, the such unexpected results can not be obtained.

For the above reasons, it is respectfully submitted that the subject matter of claims 1-22 is neither taught by nor made obvious from the disclosures of Suwa or Niki et al, either alone or in combination, and it is requested that the rejection under 35 U.S.C. §103(a) be reconsidered and withdrawn.

**II. Conclusion**

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejections under 35 U.S.C. §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

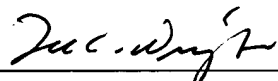
If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

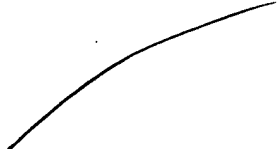
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Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

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Date: March 14, 2001

Attorney Docket No. Q54114